

|  |  |  |   |  |   |
|--|--|--|---|--|---|
| <b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>  |  | <b>1. CONTRACT ID CODE</b><br><b>K</b>         |   | <b>PAGE OF PAGES</b><br><b>1 ç 14</b>  |   |
| <b>2. AMENDMENT/MODIFICATION NO.</b><br><b>0001</b>  |  | <b>3. EFFECTIVE DATE</b><br><b>13 FEB 2001</b> |   | <b>4. REQUISITION/PURCHASE REQ. NO</b><br><b>SP0600-01-0026 &amp; 0027</b>                 |   |
|  |  |  |   | <b>5. PROJECT NO. (If applicable)</b>  |   |
| <b>6. ISSUED BY</b><br><br>DEFENSE ENERGY SUPPORT CENTER<br>8725 JOHN J. KINGMAN RD., SUITE 4950<br>FT. BELVOIR, VA 22060-6222<br>B. CHAMBERS/DESC-PLB<br>PH: 703-767-9518 FAX: 703-767-8506   |  | <b>SPO600</b>                                  |   | <b>7. ADMINISTERED BY (If other than Item 6) CODE</b>                                      |   |
| <b>8. NAME AND ADDRESS OF CONTRACTOR (NO., street,city,county,State,and ZIP Code)</b><br><br><br><br><br><br><br><br><br><br><b>BIDDER CODE:</b> <b>CAGE CODE:</b>   |  |  |   | <b>X</b>   | <b>9a. AMENDMENT OF SOLICITATION NO.</b><br><b>SP0600-01-B-6000</b> |
|  |  |  |   |  | <b>9b. DATED (SEE ITEM 11)</b><br><b>22 JAN 01</b>                  |
|  |  |  |   |  | <b>10a. MODIFICATION OF CONTRACT/ORDER NO.</b>                      |
|  |  |  |   |  | <b>10b. DATED (SEE ITEM 13)</b>                                     |
| <b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>   |  |  |   |  |   |
| <p><input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers</p> <p><input checked="" type="checkbox"/> is extended, <input type="checkbox"/> is not extended</p> <p>Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods: (a) By completing Items 8 and 15, and returning <u>  1  </u> copies of the amendment;(b) By acknowledging receipt of this amendment on each copy of the offer submitted; or(c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers.</p> <p><b>FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER.</b> If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.</p> |  |  |   |  |   |
| <b>12. ACCOUNTING AND APPROPRIATION DATA (If required)</b>   |  |  |   |  |   |
| <b>13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS; IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.</b>  |  |  |   |  |   |
| A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.   |  |  |   |  |   |
| B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(b)   |  |  |   |  |   |
| THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:  |  |  |   |  |   |
| D. OTHER (Specify type of modification and authority)  |  |  |   |  |   |
| <b>E. IMPORTANT:</b> Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return <u>  1  </u> copies to the issuing office.   |  |  |   |  |   |
| <b>14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)</b><br><br><div style="display: flex; justify-content: space-between;"><span><b>SP0600-01-6000</b></span><span><b>COG 6</b></span></div><br><div style="text-align: center;"><b>(SEE CONTINUATION PAGE)</b></div>   |  |  |   |  |   |
| Except as provided herein, all items and conditions of the document referenced in 10A remain unchanged and in full force and effect.   |  |  |   |  |   |
| <b>15A. NAME AND TITLE OF SIGNER (Type or print)</b>   |  |  | <b>16A. NAME OF CONTRACTING OFFICER</b> |  |   |
| <b>15B. NAME OF CONTRACTOR/OFFEROR</b><br><br>BY _____<br>(Signature of person authorized to sign)   |  | <b>15C. DATE SIGNED</b>                        |   | <b>16B. UNITED STATES OF AMERICA</b><br><br>BY _____<br>(Signature of Contracting Officer) |   |
|  |  |  |   | <b>16C. DATE SIGNED</b>  |   |

- A. The bid opening date is hereby changed from 26 Feb 01 to 27 Feb 01 at 1:00 P.M. EST.
- B. Amendment 0001 is hereby acknowledged and incorporated into the solicitation.
- C. Paragraph D under DD Form 1707 where the narrative reads "See page 288", is hereby corrected to read, "See page 88".
- D. Page 90 under Clause B19.19 Economic Price Adjustment is hereby modified to add the following: **AXXIS – AXXIS Petroleum Inc.** AXXIS Price Services – Thursday's Averages. Average price for city and product noted.
- E. Clause K1.01-10 OFFEROR REPRESENTATIONS AND CERTIFICATIONS – COMMERCIAL ITEMS (ALTS I/III) (MAY 1999/OCT 1998/JAN 1999) is hereby replaced in the Offeror's Submission Package with K1.01-10 OFFEROR REPRESENTATIONS AND CERTIFICATIONS – COMMERCIAL ITEMS (ALTS I/III) (JAN 2001/OCT 2000/OCT 2000). Clause is hereby included in this amendment.

**K1.01-10 OFFEROR REPRESENTATIONS AND CERTIFICATIONS - COMMERCIAL ITEMS (ALTS I/III)**

**(JAN 2001/OCT 2000/OCT 2000)**

(a) **DEFINITIONS.** As used in this provision--

(1) **Emerging small business** means a small business concern whose size is no greater than 50 percent of the numerical size standard for the standard industrial classification code designated.

(2) **Service-disabled veteran-owned small business concern —**

(i) Means a small business concern—

(A) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(B) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(ii) Service disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

(3) **Small business concern** means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and size standards in this solicitation.

(4) **Women-owned small business concern** means a small business concern--

(i) Which is at least 51 percent owned by one or more women or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and

(ii) Whose management and daily business operations are controlled by one or more women.

(5) **Women-owned business concern** means a concern which is at least 51 percent owned by one or more women; or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and whose management and daily business operations are controlled by one or more women.

(6) **Veteran-owned small business concern** means a small business concern—

(i) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(ii) The management and daily business operations of which are controlled by one or more veterans.

**(b) TAXPAYER IDENTIFICATION NUMBER (TIN) (26 U.S.C. 6109, 31 U.S.C. 7701). (Not applicable if the offeror is required to provide this information to a central contractor registration database to be eligible for award.)**

(1) All offerors must submit the information required in paragraphs (b)(3) through (b)(5) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the Internal Revenue Service (IRS).

(2) The TIN may be used by the Government to collect and report on any delinquent amounts arising out of the offeror's relationship with the Government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to the payment reporting requirements described in FAR 4.904, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the offeror's TIN.

**(3) TAXPAYER IDENTIFICATION NUMBER (TIN).**

- ☐ TIN: \_\_\_\_\_
- ☐ TIN has been applied for.
- ☐ TIN is not required because:

☐ Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the U.S. and does not have an office or place of business or a fiscal paying agent in the U.S.

- ☐ Offeror is an agency or instrumentality of a foreign government;
- ☐ Offeror is an agency or instrumentality of a Federal, state, or local government;
- ☐ Other. State basis. \_\_\_\_\_

**(4) TYPE OF ORGANIZATION.**

- ☐ Sole proprietorship;
- ☐ Partnership;
- ☐ Corporate entity (not tax-exempt);
- ☐ Corporate entity (tax-exempt);
- ☐ Government entity (Federal, State, or local);
- ☐ Foreign government;
- ☐ International organization per 26 CFR 1.6049-4;
- ☐ Other: \_\_\_\_\_.

**(5) COMMON PARENT.**

- ☐ Offeror is not owned or controlled by a common parent.
- ☐ Name and TIN of common parent:

Name \_\_\_\_\_

TIN \_\_\_\_\_

(c) Offerors must complete the following representations when the resulting contract is to be performed inside the United States, its territories or possessions, Puerto Rico, the Trust Territory of the Pacific Islands, or the District of Columbia. Check all that apply.

**(1) SMALL BUSINESS CONCERN.** The offeror represents as part of its offer that it--

- ☐ is
- ☐ is not

a small business concern.

**(2) VETERAN-OWNED SMALL BUSINESS CONCERN. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.)** The offeror represents as part of its offer that it—

☐ is  
☐ is not

a veteran-owned small business concern.

**(3) SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS CONCERN. (Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (c)(2) of this provision.)** The offeror represents as part of its offer that it—

☐ is  
☐ is not

a service-disabled veteran-owned small business concern.

**(4) SMALL DISADVANTAGED BUSINESS CONCERN. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.)** The offeror represents, for general statistical purposes, that it--

☐ is  
☐ is not

a small disadvantaged business concern as defined in 13 CFR 124.1002.

**(5) WOMEN-OWNED SMALL BUSINESS CONCERN. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.)** The offeror represents that it—

☐ is  
☐ is not

a women-owned small business concern.

**NOTE: Complete paragraphs (c)(6) and (c)(7) only if this solicitation is expected to exceed the simplified acquisition threshold.**

**(6) WOMEN-OWNED BUSINESS CONCERN (OTHER THAN SMALL BUSINESS CONCERN). (Complete only if the offeror is a women-owned business concern and did not represent itself as a small business concern in paragraph (c)(1) of this provision.)** The offeror represents that it -

☐ is

a woman owned business concern.

**(7) TIE BID PRIORITY FOR LABOR SURPLUS AREA CONCERNS.** If this is an invitation for bid, small business offerors may identify the labor surplus areas in which costs to be incurred on account of manufacturing or production (by offeror or first-tier subcontractors) amount to more than 50 percent of the contract price.

**(8) SMALL BUSINESS SIZE FOR THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM AND FOR THE TARGETED INDUSTRY CATEGORIES UNDER THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM.** (Complete only if the offeror has represented itself to be a small business concern under the size standards for this solicitation.)

(i) **(Complete only for solicitations indicated in an addendum as being set-aside for emerging small businesses in one of the four designated industry groups (DIGs)).** The offeror represents as part of its offer that it--

☐ is  
☐ is not

an emerging small business.

(ii) **(Complete only for solicitations indicated in an addendum as being for one of the targeted industry categories (TICs) or four designated industry groups (DIGs)).** The offeror represents as follows:

(A) The offeror's number of employees for the past 12 months (check the Employees column if size standard stated in the solicitation is expressed in terms of number of employees); or

(B) The offeror's average annual gross revenue for the last 3 fiscal years (check the Average Annual Gross Number of Revenues column if size standard stated in the solicitation is expressed in terms of annual receipts).

(Check one of the following:)

| <u>NUMBER of EMPLOYEES</u>           | <u>AVERAGE ANNUAL GROSS REVENUES</u>                 |
|--------------------------------------|--|
| <input type="checkbox"/> 50 or fewer | <input type="checkbox"/> \$1 million or less         |
| <input type="checkbox"/> 51 - 100    | <input type="checkbox"/> \$1,000,001 - \$2 million   |
| <input type="checkbox"/> 101 - 250   | <input type="checkbox"/> \$2,000,001 - \$3.5 million |
| <input type="checkbox"/> 251 - 500   | <input type="checkbox"/> \$3,500,001 - \$5 million   |
| <input type="checkbox"/> 501 - 750   | <input type="checkbox"/> \$5,000,001 - \$10 million  |
| <input type="checkbox"/> 751 - 1,000 | <input type="checkbox"/> \$10,000,001 - \$17 million |
| <input type="checkbox"/> Over 1,000  | <input type="checkbox"/> Over \$17 million           |

**(9) (Complete only if the solicitation contains the clause at FAR 52.219-23, NOTICE OF PRICE EVALUATION ADJUSTMENT FOR SMALL DISADVANTAGED BUSINESS CONCERNS, or FAR 52.219-25, SMALL DISADVANTAGED BUSINESS PARTICIPATION PROGRAM - DISADVANTAGED STATUS AND REPORTING, and the offeror desires a benefit based on its disadvantaged status.)**

(i) **GENERAL.** The offeror represents that either--

(A) It--

☐ is  
☐ is not

certified by the Small Business Administration as a small disadvantaged business concern and identified, on the date of this representation, as a certified small disadvantaged business concern in the database maintained by the Small Business Administration (PRO-Net), and that no material change in disadvantaged ownership and control has occurred since its certification, and, where the concern is owned by one or more individuals claiming disadvantaged status, the net worth of each individual upon whom the certification is based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); or

(B) It--

☐ has  
☐ has not

submitted a completed application to the Small Business Administration or a Private Certifier to be certified as a small disadvantaged business concern in accordance with 13 CFR 124, Subpart B, and a decision on that application is pending, and that no material change in disadvantaged ownership and control has occurred since its application was submitted.

(ii) **JOINT VENTURE UNDER THE PRICE EVALUATION ADJUSTMENT FOR SMALL DISADVANTAGED BUSINESS CONCERNS.** The offeror represents, as part of its offer, that it is a joint venture that complies with the requirements in 13 CFR 124.1002(f) and that the representation in paragraph (c)(7)(i) of this provision is accurate for the small disadvantaged business concern that is participating in the joint venture. The offeror shall enter the name of the small disadvantaged business concern that is participating in the joint venture:

\_\_\_\_\_.

(10) **(Complete if the offeror represented itself as disadvantaged in paragraph (c)(2) or (c)(9) of this provision.)** The offeror shall check the category in which its ownership falls:

- ☐ Black American
- ☐ Hispanic American
- ☐ Native American (American Indians, Eskimos, Aleuts, or Native Hawaiians).
- ☐ Asian-Pacific American (persons with origin from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China, Taiwan, Laos, Cambodia (Kampuchea), Vietnam, Korea, The Philippines, U.S. Trust Territory of the Pacific Islands (Republic of Palau), Republic of the Marshall Islands, Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Hong Kong, Fiji, Tonga, Kiribati, Tuvalu, or Nauru).
- ☐ Subcontinent Asian (Asian-Indian) American (persons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal).
- ☐ Individual/concern, other than one of the preceding.

(11) **HUBZONE SMALL BUSINESS CONCERN. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.)** The offeror represents as part of its offer that--

(i) It--

☐ is  
☐ is not

a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns Maintained by the Small Business Administration, and no material change in ownership and control, principal place of ownership, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR Part 126; and

(ii) It--

☐ is

☐ is not

a joint venture that complies with the requirements of 13 CFR Part 126, and the representation in paragraph (c)(11)(i) of this provision is accurate for the HUBZone small business concern or concerns that are participating on the joint venture. (The offeror shall enter the name or names of the HUBZone small business concern or concerns that are participating in the joint venture:

\_\_\_\_\_.)

\_\_\_\_\_  
\_\_\_\_\_  
  
\_\_\_\_\_  
\_\_\_\_\_  
  
\_\_\_\_\_  
\_\_\_\_\_  
  
\_\_\_\_\_  
\_\_\_\_\_

**Each HUBZone small business concern participating in the joint venture shall submit a separate signed copy of the HUBZone representation.**

**(d) CERTIFICATIONS AND REPRESENTATIONS REQUIRED TO IMPLEMENT PROVISIONS OF EXECUTIVE ORDER 11246.**

**(1) PREVIOUS CONTRACTS AND COMPLIANCE.** The offeror represents that--

(i) It--

☐ has

☐ has not

participated in a previous contract or subcontract subject to the EQUAL OPPORTUNITY clause of this solicitation; and

(ii) It--

☐ has

☐ has not

filed all required compliance reports.

**(2) AFFIRMATIVE ACTION COMPLIANCE.** The offeror represents that--

(i) It--

☐ has developed and has on file

☐ has not developed and does not have on file

at each establishment, affirmative action programs required by rules and regulations of the Secretary of Labor (41 CFR Subparts 60-1 and 60-2), or

(ii) It--

[ ] has not previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

(e) **CERTIFICATION REGARDING PAYMENTS TO INFLUENCE FEDERAL TRANSACTIONS (31 U.S.C. 1352).** (Applies only if the contract is expected to exceed \$100,000). By submission of its offer, the offeror certifies to the best of its knowledge and belief that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress on his or her behalf in connection with the award of any resultant contract.

(f) **BUY AMERICAN ACT - TRADE AGREEMENTS - BALANCE OF PAYMENTS PROGRAM CERTIFICATE (DFARS 252.225-7006).** (Applies only if DFARS clause 252.225-7007, TRADE AGREEMENTS ACT, is incorporated by reference in this solicitation.)

(1) The offeror certifies that--

(i) Each end product, except the end products listed in subparagraph (2) below, is a domestic end product (as defined in the BUY AMERICAN ACT AND BALANCE OF PAYMENTS PROGRAM clause of this solicitation); and

(ii) Components of unknown origin are considered to have been mined, produced, or manufactured outside the United States or a qualifying country.

(2) The offeror must identify and certify all end products that are not domestic end products.

(i) The offeror certifies that the following supplies qualify as "U.S.-made end products" but do not meet the definition of "domestic end product":

\_\_\_\_\_  
(Insert line item no.)

(ii) The offeror certifies that the following supplies are qualifying country end products:

\_\_\_\_\_  
(Insert line item no.)

\_\_\_\_\_  
(Insert country of origin)

(iii) The offeror certifies that the following supplies are qualify as designated country end products:

\_\_\_\_\_  
(Insert line item no.)

\_\_\_\_\_  
(Insert country of origin)

(iv) The offeror certifies that the following supplies qualify as Caribbean Basin country end products:

\_\_\_\_\_  
(Insert line item no.)

\_\_\_\_\_  
(Insert country of origin)

(v) The offeror certifies that the following supplies qualify as NAFTA country end products:

\_\_\_\_\_  
(Insert line item no.)

\_\_\_\_\_  
(Insert country of origin)



(vi) The offeror certifies that the following supplies are other nondesignated country end products:

\_\_\_\_\_  
(Insert line item no.)

\_\_\_\_\_  
(Insert country of origin)

(LIST AS NECESSARY)

(3) Offers will be evaluated by giving preference to U.S.-made end products, qualifying country end products, designated country end products, NAFTA country end products, and Caribbean Basin country end products over other end products.

(g) **BUY AMERICAN ACT - NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA) IMPLEMENTATION ACT - BALANCE OF PAYMENTS PROGRAM CERTIFICATE (DFARS 252.225-7035). (Applies only if DFARS clause 252.225-7036, NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA) IMPLEMENTATION ACT, clause is incorporated by reference in this solicitation.)**

(1) The offeror certifies that--

(i) Each end product, except the end products listed in subparagraph (2) below, is a domestic end product (as defined in the BUY AMERICAN ACT AND BALANCE OF PAYMENTS PROGRAM clause of this solicitation); and

(ii) Components of unknown origin are considered to have been mined, produced, or manufactured outside the United States or a qualifying country.

(2) The offeror must identify and certify all end products that are not domestic end products.

(i) The offeror certifies that the following supplies qualify as "U.S.-made end products," but do not meet the definition of "domestic end products":

\_\_\_\_\_  
(Insert line item number)

(ii) The offeror certifies that the following supplies are qualifying country (except Canada) end products:

\_\_\_\_\_  
(Insert line item number)

\_\_\_\_\_  
(Insert country of origin)

(iii) The offeror certifies that the following supplies qualify as NAFTA country end products:

\_\_\_\_\_  
(Insert line item number)

\_\_\_\_\_  
(Insert country of origin)

(iv) The offeror certifies that the following supplies are other foreign end products:

\_\_\_\_\_  
(Insert line item number)

\_\_\_\_\_  
(Insert country of origin)

(LIST AS NECESSARY)

(3) Offers will be evaluated by giving preference to U.S.-made end products, qualifying country end products, or NAFTA country end products over other end products.

(h) **CERTIFICATION REGARDING DEBARMENT, SUSPENSION OR INELIGIBILITY FOR AWARD (EXECUTIVE ORDER 12549).**

The offeror certifies, to the best of its knowledge and belief, that--

(1) The offeror and/or any of its principals

☐ are  
☐ are not

presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency, and

(2) ☐ have or  
☐ have not,

within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government contract or subcontract ; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

☐ are or  
☐ are not

presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses; and

(4) (i) The offeror, aside from the offenses enumerated in paragraphs (1), (2), and (3) of this paragraph (h),

☐ has  
☐ has not

within the past three years, relative to tax, labor and employment, environmental, antitrust, or consumer protection laws—

(A) Been convicted of a Federal or State felony (or has any Federal or State felony indictments currently pending against them); or

(B) Had a Federal court judgment in a civil case brought by the United States rendered against them; or

(C) Had an adverse decision by a Federal administrative law judge, board, or commission indicating a willful violation of law.

(ii) If the offeror has responded affirmatively, the offeror shall provide additional information if requested by the Contracting Officer.

(FAR 52.212-3/Alts I/III)

F. Clause B1.01 SUPPLIES TO BE FURNISHED (DOMESTIC PC&S) (DESC MAR 1999) is modified as follows:

1) Page 160 is hereby corrected to read page 60.

2) The following item is hereby added as follows:

N90 YELLOWSTONE NATL PARK,  
WY, DI, NATIONAL PARK SERVICE,  
PARK COUNTY  
DELIVERY FEDAAC: 148518  
ALL DELIVERY POINTS WITHIN THE BOUNDARIES OF  
YELLOWSTONE ARE SUBJECT TO THE FOLLOWING:  
DELIVERY WITHIN THE PARK REQUIRED MONDAY THRU  
FRIDAY BETWEEN THE HOURS OF 7:00 AM AND 5:00 PM,  
EXCEPT IN EMERGENCY SITUATIONS. DURING PEAK  
TRAVEL PERIODS NPS MAY REQUIRE DELIVERYS BETWEEN  
7:00 AM AND 2:00 PM DURING SPRING MONTHS. A LOAD  
LIMIT OF 350 LBS PER INCH-WIDTH OF TIRE WILL BE  
ENFORCED FOR SUCH TIME UNTIL GROUND HARDENS  
(APPROX 15 JUNE).  
NE ENTRANCE IS CLOSED APPROXIMATELY 01 OCT THRU 15  
JUNE. EAST AND SOUTH ENTRANCE. ARE CLOSED  
APPROXIMATELY 15 OCTOBER THRU 25 MAY.  
WEST ENTRANCE IS CLOSED APPROXIMATLY 01 NOVEMBER  
THRU 01 APRIL.  
NORTH ENTRANCE AT GARDINER, MT IS OPEN YEAR ROUND  
TO MAMMOTH AND ALSO TO NE ENTRANCE.  
DUE TO STEEP GRADES, HIGH TANK ELEVATIONS AND  
BRIDGE LOAD LIMIT RESTRICTIONS, BIDDERS SHOULD GET  
ACQUAINTED WITH LOCAL CONDITIONS, MT STATE LAWS,  
FED HIGHWAYS WEIGHT AND SIZE RESTRICTIONS, AND  
YELLOWSTONE NATIONAL PARK SIZE AND WEIGHT  
LIMITATIONS, AS WELL AS GUIDELINES FOR  
TRANSPORTATION OF PETROLEUM PRODUCTS IN  
YELLOWSTONE NATIONAL PARK.  
DELIVER TO THE FOLLOWING LOCATIONS:  
A. BEAR TOOTH ROAD CAMP - 50 MILES W OF RED LODGE  
B. BRIDGE BAY - 56 MILES SE OF GARDINER, MT  
C. CANYON VILLAGE - 37 MILES SE OF GARDINER, MT  
D. EAST ENTRANCE - 53 MILES W OF CODY, WY (US #S  
14 & 20)  
E. FISHING BRIDGE - 53 MILES SE OF GARDINER, MT  
F. GARDINER GOVERNMENT AREAS - GARDINER, MT  
G. GRANT VILLAGE - 83 MILES N OF JACKSON, WY  
H. LAMAR RANGER STN- 36 MILES SE OF GARDINER, MT  
(US #S 312 & 89)  
I. MADISON JUNCTION- 14 MILES E OF W YELSTONE, MT  
(US #S 89 & 20)  
J. MAMMOTH HOT SPRINGS - 5 MILES S OF GARDINER,  
MT (US # 89)  
K. NORRIS JUNCTION - 26 MILES S OF GARDINER, MT  
L. NORTHEAST ENTRANCE - 52 MILES E OF GARDINER, MT

M. OLD FAITHFUL - 56 MILES S OF GARDINER, MT (US # 89)  
N. S. ENTRANCE RANGER STATION - 64 MILES N OF JACKSON, WY (US #89)  
O. TOWER JUNCTION - 26 MILES SE OF GARDINER, MT (US #312 & 89)  
P. WEST ENTRANCE - 1 MI E OF WEST YELLOWSTONE, MT  
Q. YELLOWSTONE LAKE UTILITY AREA - 54 MILES SE OF GARDINER, MT  
R. YELLOWSTONE PARK LOOP ROAD - VARIOUS LOCATIONS  
ORDERING OFFICE: 307-739-3448

N90-24 GASOHOL, REG UNL (GUR) 750,000 GL

TANK WAGON (TW), INTO  
1/1,500 GALLON TANK ONE MILE EAST OF YELLOWSTONE  
METERED DELIVERY TICKET REQUIRED  
TANKS AT ALL LOCATIONS EXCEPT E AND H  
5/6,000 GALLON TANKS  
2/4,000 GALLON TANK  
6/2,000 GALLON TANKS  
4/270 GALLON TANKS

N90-28 GASOLINE, REG UNL (MUR) 0 GL

TANK WAGON (TW), INTO  
1/1,500 GALLON TANK ONE MILE EAST OF YELLOWSTONE  
METERED DELIVERY TICKET REQUIRED  
TANKS AT ALL LOCATIONS EXCEPT E AND H  
5/6,000 GALLON TANKS  
2/4,000 GALLON TANK  
6/2,000 GALLON TANKS  
4/270 GALLON TANKS  
NOTE: THIS IS AN ALTERNATE LINE ITEM FOR ITEM N90-24.  
AWARD WILL BE MADE AT THE OVERALL LEAST COST TO THE GOVERNMENT.

N90-67 DIESEL FUEL #1, LOW SULF (LS1) 250,000 GL

TANK WAGON (TW), INTO  
5/6,000 GALLON TANKS  
2/4,000 GALLON TANKS  
6/2,000 GALLON TANKS  
AT ALL LOCATIONS EXCEPT B AND E METERED DELIVERY  
TICKET REQUIRED  
DELIVERY PERIOD: SEPTEMBER – APRIL

N90-68 DIESEL FUEL #2, LOW SULF (LS2) 500,000 GL

TANK WAGON (TW), INTO  
5/6,000 GALLON TANKS  
2/4,000 GALLON TANKS  
6/2,000 GALLON TANKS  
AT ALL LOCATIONS EXCEPT B AND E  
DELIVERY PERIOD: MAY - AUGUST

N90-88 DIESEL FUEL, LS #1 (DYED)(LSW) 32,000 GL

TANK WAGON (TW), INTO  
6/2,000 GALLON TANKS  
21/270 GALLON TANKS  
5/6,000 GALLON TANKS  
2/4,000 GALLON TANKS  
AT ALL LOCATIONS EXCEPT B AND H

N90-94 DIESEL FUEL, LS#2 (DYED) (LSS) 600,000 GL

TANK WAGON (TW), INTO  
1/8,000 GALLON TANK  
6/2,000 GALLON TANKS  
1/500 GALLON TANK  
1/10,000 GALLON TANK  
5/6,000 GALLON TANKS  
2/4,000 GALLON TANKS  
AT ALL LOCATIONS EXCEPT H AND R

G. The following line item narrative is hereby corrected to read as follows:

B25 CHICAGO  
IL, USPS, IL, USPS CENTRAL GARAGE, 740 SOUTH CANAL STREET 60607  
COOK COUNTY  
DELIVERY FEDAAC: 185107  
ORDERING OFFICE: 312-983-8720

B25-08 RFG REGULAR UNLEADED (MRR) 527,500 GL

TANK TRUCK (TT), INTO  
1/20,000 GALLON TANKER TRUCK(S)

- H. Clause F3 TRANSPORT TRUCK AND/OR TRUCK AND TRAILER FREE TIME AND DETENTION RATES (PC&S/COAL) (DESC APR 1998) is hereby replaced in the Offeror's Submission Package with F3.100 TRANSPORT TRUCK AND/OR TRUCK AND TRAILER FREE TIME AND DETENTION RATES (PC&S/COAL) (DESC FEB 2001). Clause is hereby included in this amendment.

**F3.100 TRANSPORT TRUCK AND/OR TRUCK AND TRAILER FREE TIME AND DETENTION RATES (PC&S/COAL)**  
**(DESC FEB 2001)**

(a) Upon arrival of Contractor's transport truck or truck and trailer, the receiving activity shall promptly designate the delivery point into which the load is to be discharged. Contractor shall be paid for detention beyond free time for delays caused by the Government. A minimum of one hour free time is required.

(1) Free time for unloading a transport truck, excluding multiple drop deliveries, or truck and trailer in excess of one hour: \_\_\_\_\_.

(2) Rate for detention beyond free time: \_\_\_\_\_.

The above will not be considered in the evaluation of offers for award.

(b) Notwithstanding the above, the Government is entitled to at least as much free time as is allowed by the common carrier or that the Contractor normally allows its regular commercial customers, whichever is greater. In addition, the Government will not pay more in detention rates than the actual rate charged by the common carrier or the rate the Contractor normally charges its regular commercial customers, whichever is lower.

UNLESS OFFEROR INDICATES OTHERWISE, FREE TIME WILL BE CONSIDERED UNLIMITED.

(c) **DETENTION COSTS.** Detention costs, allowable only on tank truck deliveries (not applicable to multiple drop tank truck or any tank wagon deliveries) and barge/tanker, will be the sole responsibility of the activity incurring them. Invoices for detention costs will be submitted by the Contractor directly to the activity receiving the product. These provisions are applicable to DLA owned/capitalized as well as non-DLA owned/non-capitalized products.

(DESC 52.247-9FK1)